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09/808,932	03/15/2001	Keizo Baba	2271/64396	4832

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EXAMINER

LETT, THOMAS J

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/808,932

Applicant(s)

BABA, KEIZO

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 14-24, 28-54 and 58-63 is/are rejected.
- 7) ☒ Claim(s) 11-13, 25-27, 55-57, 64 and 65 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 13 December 2006 have been fully considered but they are not persuasive.
2. Regarding claims 1,14,15, 29, 43 and 44 it is stated that "Applicant simply does not find teaching or suggestion in the cited art, however, of a facsimile apparatus which displays the acquired advertisement information on a display device of the facsimile apparatus when the document is being scanned and the image data is being accumulated".

Examiner notes, as disclosed in the specification at para. 0067, "The Internet facsimile apparatus 10 acquires advertisement information from the advertisement server 34 on the Internet and displays the advertisement information thus acquired at the display device 14a during the time period of a facsimile transmission process". Scanning of a document, or image accumulation are precursor events to transmitting or sending image data. Examiner cannot read the scanning or image accumulation into the "facsimile transmission process" because the art of transmission just sends information.

Nevertheless, Kolls clearly teaches that advertising is displayed during the vending machine's (i.e., fax machine's) use. Specifically: "During use, relevant marketing data, and advertisements can be displayed on the system 500 interconnected with the vending machine. Relevant marketing data can include current date and time, location, total sale amount, and where appropriate total copies, faxed pages, time used,

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PC usage, online usage, electronic commerce charges, total prints and other relevant marketing data." (see at least col. 22, lines 58-67 and col. 23, lines 23-35). This clearly shows that advertising is displayed during a fax machine's use. The term "use" of a fax machine clearly encompasses scanning a document, buffering the data, entering a destination address for the image data, transmitting the data, receiving data, etc.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 45-61 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner suggests that Applicant follow page 53 of the "Interim Guidelines" for the suggested claim language: "A computer-readable medium encoded with a computer program causing a computer to...". Claims call for "A computer program product, comprising..." should be changed to "A computer-readable medium encoded with computer-executable instructions causing a facsimile apparatus to implement ..." (see page 53 of the Interim Guidelines).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10, 15-24, 28-54, and 58-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ukita et al (USPN 6,622,174 B1) in view of Kolls et al (USPN 6,601,037 B1).

With respect to claim 1, Ukita et al disclose a facsimile apparatus (member terminal 1, col. 8, lines 28-31), comprising:

a network interface device (communication function unit 110, col. 12, lines 19-25) connected to a network (via antenna 111, see Fig. 6) and configured to transmit and receive facsimile data therebetween;

an advertisement information acquiring device (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) configured to acquire advertisement information from an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network via said network interface device;

a display device (display 105, see Fig. 6) to display the advertisement information (col. 17, lines 57-65) acquired from said advertisement information acquiring device (common server device 2, col. 16, lines 49-56), and

a displaying control device (system control unit 121, col. 17, lines 59-65).

Ukita et al does not disclose a scanner section for scanning a document, generating image data corresponding to the scanned document to be transmitted, and said displaying control device causes the advertisement information to be displayed when said document is being scanned and said image data is being accumulated.

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Kolls discloses a system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed when a user uses the system 500, col. 23, lines 1-3). Vending equipment of Kolls encompasses facsimile machines, scanners, copiers (col. 3, lines 59-63). Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a facsimile workstation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a vending PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a fax workstation.

With respect to claim 2, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) controls said display device to display the advertisement information during a time period of transmitting facsimile data (advertisement information can be displayed by the member terminal 1 even during facsimile functions, col. 18, lines 46-54).

With respect to claim 3, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

a facsimile data storing device configured to store facsimile data (member terminal 1 receives the received facsimile data and the advertisement information, and stores these in the DRAM 123, col. 20, lines 13-15),

wherein said displaying control device (system control unit 121, col. 17, lines 59-

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65) controls said display device to display the advertisement information during a time period of storing the facsimile data (advertisement information can be displayed by the member terminal 1 even during facsimile functions, col. 18, lines 46-54).

With respect to claim 4, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an outputting device (DRAM 123, col. 20, lines 13-15) configured to output the advertisement information (DRAM 123 outputs the advertisement information to the LCD 105, col. 20, lines 15-19);

an advertisement information output instructing device (system control unit 121, col. 17, lines 59-65) configured to instruct outputting of the advertisement information displayed on said display device (LCD 105, col. 20, lines 15-19); and wherein said displaying control device outputs the advertisement information instructed by said advertisement information output instructing device (system control unit 121, col. 17, lines 59-65) with the outputting device (DRAM 123 outputs the advertisement information to the LCD 105, col. 20, lines 15-19).

With respect to claim 5, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an advertisement information facsimile transmission instructing device (communication function unit 110, col. 12, lines 19-25) configured to instruct facsimile transmission of the advertisement information displayed on said display device (the member terminal 1 can make telephone communication with another member terminal 1, col. , lines which inherently indicates that information compatibly displayed on one

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member terminal can be transmitted by facsimile over the telephone connection to another similar terminal); and

wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits by facsimile transmission the advertisement information instructed by said advertisement information facsimile transmission instructing device to a previously set address (if transferring to a member terminal, it is inherent that the address would be previously set).

With respect to claim 6, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an advertisement information mail transmission instructing device (communication function unit 110, col. 12, lines 19-25) configured to instruct electronic mail transmission of the advertisement information displayed on said display device (the member terminal 1 can make telephone communication with another member terminal 1, col. 8, lines 61-67) which inherently indicates that information compatibly displayed on one member terminal can be transmitted by facsimile over the telephone connection to another similar terminal. Examiner further notes that member terminal 1 is capable of email transmission of data.); and

wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits by electronic mail the advertisement information instructed by said advertisement information mail transmission instructing device to a previously set address (if transferring to a member terminal, it is inherent that the address would be previously set).

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With respect to claim 7, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) combines the advertisement information with a communication control report (communication information is added to the reception log of each member terminal, col. 34, lines 24-34)

With respect to claim 8, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) combines the advertisement information with a part of transmission image data (the advertisement information provided by being attached to the received facsimile data, col. 20, lines 7-12).

With respect to claim 9, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an outputting device (LCD 105) configured to output the advertisement information; wherein said displaying control device outputs the advertisement information to the outputting device at preset times (member terminal 1 has excellent portability, and allows for provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

With respect to claim 10, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits the advertisement information by electronic mail to a previously set address at preset times (member terminal 1 has excellent portability, and allows for

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provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

With respect to claim 14, Ukita et al disclose a facsimile apparatus comprising:

a network interface device (communication function unit 110, col. 12, lines 19-25) connected to a network and configured to transmit and receive (via antenna 111) facsimile data therebetween;

an advertisement information acquiring device (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) configured to acquire advertisement information from an advertisement server connected to said network via said network interface device (common server device 2, col. 16, lines 49-56);

a display device (display 105) to display the advertisement information acquired from said advertisement information acquiring device; and

a displaying control device configured to control the displaying of the advertisement information, wherein said advertisement information acquiring device acquires the advertisement information from said advertisement server at a constant time interval (member terminal 1 has excellent portability, and allows for provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

Claim 15 is a method claim and is rejected for the same reasoning as that of claim 1.

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Claim 16 is a method claim and is rejected for the same reasoning as that of claim 2.

Claim 17 is a method claim and is rejected for the same reasoning as that of claim 3.

Claim 18 is a method claim and is rejected for the same reasoning as that of claim 4.

Claim 19 is a method claim and is rejected for the same reasoning as that of claim 5.

Claim 20 is a method claim and is rejected for the same reasoning as that of claim 6.

Claim 21 is a method claim and is rejected for the same reasoning as that of claim 7.

Claim 22 is a method claim and is rejected for the same reasoning as that of claim 8.

Claim 23 is a method claim and is rejected for the same reasoning as that of claim 9.

Claim 24 is a method claim and is rejected for the same reasoning as that of claim 10.

With respect to claim 28, Ukita et al disclose a method as defined in claim 15, wherein the acquiring acquires the advertisement information from said advertisement server at a constant time interval. (member terminal 1 has excellent portability, and

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allows for provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

With respect to claim 29, Ukita et al disclose a communication system (see computer network system of Fig. 1), comprising:

a network connecting plural terminal devices (plurality of member terminals 1) with transmission paths and transmitting/receiving data between said plural terminal devices through said transmission paths;

an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network; and

a facsimile apparatus including (member terminal 1);

a network interface device (communication function unit 110, col. 12, lines 19-25) connected to said network and capable of transmitting and receiving facsimile data therebetween;

an advertisement information acquiring device (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) configured to acquire advertisement information from said advertisement server through said network interface device;

a display device (display 105) for displaying the advertisement information (col. 17, lines 57-65) acquired by said advertisement information acquiring device (common server device 2, col. 16, lines 49-56); and

a displaying control device (system control unit 121, col. 17, lines 59-65) configured to control the displaying of the advertisement information, wherein said

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displaying control device causes the advertisement information to be displayed when said document is being scanned and said image data is being accumulated

Ukita et al does not disclose a scanner section for scanning a document and generating image data corresponding to the scanned document to be transmitted.

Kolls discloses a system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed when a user uses the system 500, col. 23, lines 1-3). Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a workstation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a workstation.

With respect to claim 30, Ukita et al disclose a facsimile apparatus of claim 1, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (see Fig. 1 and Fig. 3).

With respect to claim 31, Ukita et al disclose a facsimile apparatus of claim 1, wherein said network interface device is configured to transmit data to and receive data from a device over at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words,

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5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 32, Ukita et al disclose a method of claim 15, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 33, Ukita et al disclose a system of claim 29, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 34, Ukita et al disclose a system of claim 29, wherein said network interface device is configured to transmit data to and receive data from a device

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over at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 35, Ukita et al disclose a facsimile apparatus of claim 1, wherein at least a portion of said network is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 36, Ukita et al disclose a method of claim 15, wherein at least a portion of said network is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 37, Ukita et al disclose a system of claim 29, wherein at least a portion of said network is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 38, Ukita et al disclose a facsimile apparatus of claim 30, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 39, Ukita et al disclose a facsimile apparatus of claim 31, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed

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Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 40, Ukita et al disclose a method of claim 32, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 41, Ukita et al disclose a system of claim 33, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 42, Ukita et al disclose a system of claim 34, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP

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backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 43, Ukita et al disclose a facsimile apparatus (member terminal 1, col. 8, lines 28-31), comprising:

means for connecting (communication function unit 110, col. 12, lines 19-25) to a network (via antenna 111) and for transmitting and receiving facsimile data therebetween (facsimile, emails, advertisements, and other data are received amongst devices on the network, col. 8, lines 49-58);

means for acquiring advertisement information (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) from an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network via said connecting means;

means for displaying (display 105, col. 17, lines 57-65) the advertisement information acquired from said advertisement information acquiring means (DRAM 123);
and

means for controlling (system control unit 121, col. 17, lines 59-65) the displaying of the advertisement information, wherein said means for controlling causes the advertisement information to be displayed when said document is being scanned and said image data is being accumulated.

Ukita et al does not disclose a scanner section for scanning a document and generating image data corresponding to the scanned document to be transmitted.

Kolls discloses a system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed when a user uses the system 500, col. 23, lines 1-3). Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a workstation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a workstation.

With respect to claim 44, Ukita et al disclose a communication system, comprising:

a network (see network of Fig. 1) connecting plural terminal devices (connection of several member terminals 1, contents providing device 11, and communications terminal 10) and transmitting/receiving data between said plural terminal devices (facsimile, emails, advertisements, and other data are received amongst these devices, col. 8, lines 49-58);

an advertisement server (common server device 2, col. 16, lines 49-56) connected to the network; and

a facsimile apparatus (member terminal 1) including;

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means for connecting (communication function unit 110, col. 12, lines 19-25) to said network and for transmitting and receiving facsimile data therebetween;

means for acquiring advertisement information from said advertisement server (common server device 2, col. 16, lines 49-56) through said connecting means;

means for displaying (display 105, col. 17, lines 57-65) the advertisement information acquired by said advertisement information acquiring means (DRAM 123); and

means for controlling (system control unit 121, col. 17, lines 59-65) the displaying of the advertisement information, wherein said means for controlling causes the advertisement information to be displayed when said document is being scanned and said image data is being accumulated.

Ukita et al does not disclose a scanner section for scanning a document and generating image data corresponding to the scanned document to be transmitted. Kolls discloses a system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed when a user uses the system 500, col. 23, lines 1-3). Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a workstation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax

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communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a workstation.

With respect to claim 45, Ukita et al disclose a computer program product (ROM 122 storing control programs, col. 12, lines 58-67), comprising:

a program storage device readable by a processor or a facsimile apparatus and tangibly embodying a program of instructions that when executed by the processor, implement on said facsimile apparatus (ROM 122 storing control programs, col. 12, lines 58-67),

an advertisement information acquiring mechanism configured to acquire advertisement information from an advertisement server connected to a network through said network (ROM 122 storing control programs, col. 12, lines 58-67) at a constant time interval (col. 7, lines 34-38 and col. 8, lines 25-27); and

a displaying mechanism (LCD 105, col. 12, line 52) configured to display the acquired advertisement information on a display device of the facsimile apparatus (ROM 122 storing control programs, col. 12, lines 58-67).

Claim 46 is a product claim and is rejected for the same reasoning as that of claim 2.

Claim 47 is a product claim and is rejected for the same reasoning as that of claim 3.

Claim 48 is a product claim and is rejected for the same reasoning as that of claim 4.

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Claim 49 is a product claim and is rejected for the same reasoning as that of claim 5.

Claim 51 is a product claim and is rejected for the same reasoning as that of claim 7.

Claim 52 is a product claim and is rejected for the same reasoning as that of claim 8.

Claim 53 is a product claim and is rejected for the same reasoning as that of claim 9.

Claim 54 is a product claim and is rejected for the same reasoning as that of claim 10.

Claim 59 is a product claim and is rejected for the same reasoning as that of claim 30.

Claim 60 is a product claim and is rejected for the same reasoning as that of claim 38.

Claim 61 is a product claim and is rejected for the same reasoning as that of claim 35.

With respect to claim 62, Ukita et al do not disclose that the advertisement information is displayed on the display device while the document is being scanned by the scanning device.

Kolls discloses a system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed

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when a user uses the system 500, col. 23, lines 1-3). Vending equipment of Kolls includes facsimile machines, scanners, copiers (col. 3, lines 59-63). Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a facsimile workstation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a vending PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a fax workstation.

With respect to claim 63, Ukita et al do not disclose that the display of the advertisement information on the display device is terminated upon completion of transmission of the document by the facsimile apparatus.

Kolls teaches of an interactive system 500 containing facsimile machines, scanner, and other computing devices integrated as a station col. 3, lines 52-67 including scanner 118 to scan a document to be transmitted. Kolls discloses that advertisements are displayed when a user uses the system 500, col. 23, lines 1-3). Vending equipment of Kolls includes facsimile machines, scanners, copiers (col. 3, lines 59-63). Interactive is defined as "of or relating to a program that responds to user activity". The program in this case would be advertising, and the user activity would be related to the use of the facsimile machine or fax transactions. Thus, a user can choose to terminate the display of advertisement(s) after document transmission. Ukita et al and Kolls are analogous art because they are from the similar problem solving area of displaying advertisements at a facsimile workstation. At the time of the invention, it

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would have been obvious to a person of ordinary skill in the art to add the system 500 that integrates a vending PDA feature of Kolls to the PDA of Ukita et al in order to obtain a way to integrate fax communication with displayed advertising. The motivation for doing so would be to allow users to view advertisements while using a fax workstation.

With respect to claim 64, Ukita et al disclose a facsimile apparatus of claim 1, further comprising an operator sensor (switch SW associated with the opening of a lid 101 which causes system control unit 121 to controls the member terminal 1 as an information communication terminal, facsimile communication terminal, or electronic mail communication terminal, col. 12, lines 30-40), wherein said control device causes the advertisement information to be displayed on said display device when said operator sensor detects that an operator is at or near said facsimile apparatus (Examiner reads the opening of the lid 101 as a sensor that functions as a user proximity sensor).

Allowable Subject Matter

5. Claims 11-13, 25-27, 55-57, 64 and 65 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yabe (JP 2001326771 A) teaches of a copying device which saves paper resources by enabling a user to view advertisements outputted from an advertisement memory which the copying device has or advertisements sent by facsimile communications or the Internet and avoiding output onto paper of these advertisements.

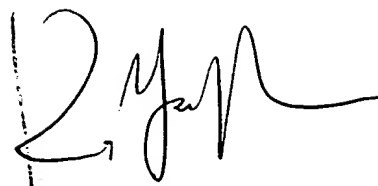
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 8-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to be 'TJL' with a stylized flourish.A handwritten signature in black ink, appearing to be 'King Y. Poon' with a stylized flourish.

KING Y. POON
PRIMARY EXAMINER